

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

-v-

**CASE NO.: 2:11-CR-010 (1)
JUDGE SMITH**

SEAN D. MURPHY,

Defendant.

ORDER

This matter is before the Court upon the Motion of Defendant's counsel David Graeff to Withdraw as Counsel for Defendant Murphy. Mr. Graeff made the request following the conclusion of Defendant's sentencing hearing.

The United States District Court for the Southern District of Ohio Local Rule 83.4 specifically provides:

Withdrawal in a Criminal Case

The trial attorney in a criminal case, whether retained or appointed, is responsible for continued representation of the client on appeal until specifically relieved by the Sixth Circuit Court of Appeals (See 6th Cir. R. 101). The trial attorney must consult with his or her client as to whether the client wishes to appeal. If the client wishes to appeal, the trial attorney must file a notice of appeal and assist the client in preparing any other necessary filings to proceed on appeal.

S.D. Ohio L.R. 4.3(e).

Defendant, through counsel, has requested this Court to file a notice of appeal for him and therefore, the Court finds that Defendant's attorney, Mr. Graeff, has completed his duties as trial

counsel for Defendant Murphy.

Accordingly, Mr. Graeff's request to withdraw as counsel for Defendant Murphy for purposes of appeal is **GRANTED**.

The Court therefore requests that the United States Court of Appeal for the Sixth Circuit appoint counsel to represent Defendant Murphy for purposes of appeal from their list of qualified counsel.

IT IS SO ORDERED.

s/George C. Smith

**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**